

THE HONORABLE RICARDO S. MARTINEZ

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

SOVEREIGN BANK,

Plaintiff,

v.

TERRENCE SCOTT TWYFORD, JR.,
in personam, and the vessel EXECUTIVE
DECISION (O.N. 1200762), *in rem.*,

Defendants.

IN ADMIRALTY

No.: C11-1256 RSM

**PLAINTIFF'S MOTION FOR ORDER
DIRECTING ISSUANCE OF
WARRANT OF ARREST PURSUANT
TO SUPPLEMENTAL ADMIRALTY
RULE C**

**NOTE ON MOTION CALENDAR:
DECEMBER 21, 2012**

Plaintiff Sovereign Bank, having filed its Verified Complaint in admiralty in the above-entitled action, and having established that it is the mortgagee of a Preferred Ship Mortgage that secures the indebtedness of Terrence Scott Twyford to Sovereign Bank and that Mr. Twyford is in default, moves this Court for issuance of an Order directing the Clerk to issue a Warrant of Arrest pursuant to 46 U.S.C. § 31325(b)(1), (e)(2), Supplemental Admiralty Rule C of the Federal Rules of Civil Procedure and Local Admiralty Rule 116. This Motion is based upon the Verified Complaint and the Declaration of Christopher W. Nicoll filed contemporaneously.

Sovereign Bank notes that the evidence within and attached to Mr. Nicoll's declaration establishes that the vessel is most likely located within a locked warehouse building 11824 NE 116th St., Kirkland, WA 98034, where it was on September 20, 2012, when the vessel was surveyed by Darryl Heasley. *See* Nicoll Dec. ¶¶ 7-8, and Ex. 2. Thus, it will likely be necessary

1 for the Marshal and the substitute custodian to have authority to enter the building in order to
2 gain access to the vessel and all her engines, tackle, gear, electronics, appurtenances, etc. The
3 proposed order and arrest warrant take this into account.

4 Respectfully submitted,

5 DATED December 6th, 2012.

6 NICOLL BLACK & FEIG PLLC

7 /s/ Jeremy B. Jones

8 Christopher W. Nicoll, WSBA No. 20771

9 Jeremy B. Jones, WSBA No. 44138

10 Attorneys for Plaintiff
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